

## Assembly Bill No. 2651

### CHAPTER 143

An act to amend Section 12002 of, and to add Section 831.4 to, the Penal Code, relating to security officers.

[Approved by Governor July 11, 1996. Filed with  
Secretary of State July 12, 1996.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2651, Hawkins. Security officers.

Existing law establishes various categories of peace officers and other public officers, and specifies their duties and powers.

This bill would provide that a sheriff's security officer is a public officer, and not a peace officer, employed by the sheriff of a county, whose primary duty is the security of locations or facilities as directed by the sheriff. These officers would have the authority to carry or possess a firearm, baton, and other safety equipment and weapons, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 831.4 is added to the Penal Code, to read:

831.4. (a) A sheriff's security officer is a public officer, employed by the sheriff of a county, whose primary duty is the security of locations or facilities as directed by the sheriff. The duties of a sheriff's security officer may include physical security and protection of properties owned, operated, or administered by the county, or any municipality or special district contracting for police services from the county pursuant to Section 54981 of the Government Code, or necessary duties with respect to the patrons, employees, and properties of the employing county or contracting entities.

(b) A sheriff's security officer is not a peace officer nor a public safety officer as defined in Section 3301 of the Government Code. A sheriff's security officer may carry or possess a firearm, baton, and other safety equipment and weapons authorized by the sheriff while performing the duties authorized in this section, and under the terms and conditions specified by the sheriff. These persons may not exercise the powers of arrest of a peace officer, but may issue citations for infractions if authorized by the sheriff.

(c) Each sheriff's security officer shall satisfactorily complete a course of training as specified in Section 832 within 90 days of assuming his or her duties. Nothing in this subdivision shall preclude the sheriff from requiring additional training requirements.

(d) Notwithstanding any other law, nothing in this section shall be construed to confer any authority upon any sheriff's security officer except while on duty, or confer any additional retirement benefits to persons employed within this classification.

SEC. 2. Section 12002 of the Penal Code is amended to read:

12002. (a) Nothing in this chapter prohibits police officers, special police officers, peace officers, or law enforcement officers from carrying any wooden club, baton, or any equipment authorized for the enforcement of law or ordinance in any city or county.

(b) Nothing in this chapter prohibits a uniformed security guard, regularly employed and compensated as such by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment, from carrying any wooden club or baton if the uniformed security guard has satisfactorily completed a course of instruction certified by the Department of Consumer Affairs in the carrying and use of the club or baton. The training institution certified by the Department of Consumer Affairs to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(c) The Department of Consumer Affairs, in cooperation with the Commission on Peace Officer Standards and Training, shall develop standards for a course in the carrying and use of the club or baton.

(d) Any uniformed security guard who successfully completes a course of instruction under this section is entitled to receive a permit to carry and use a club or baton within the scope of his or her employment, issued by the Department of Consumer Affairs. The department may authorize certified training institutions to issue permits to carry and use a club or baton. A fee in the amount provided by law shall be charged by the Department of Consumer Affairs to offset the costs incurred by the department in course certification, quality control activities associated with the course, and issuance of the permit.

(e) Any person who has received a permit or certificate which indicates satisfactory completion of a club or baton training course approved by the Commission on Peace Officer Standards and Training prior to January 1, 1983, shall not be required to obtain a baton or club permit or complete a course certified by the Department of Consumer Affairs.

(f) Any person employed as a county sheriff's security officer, as defined in Section 831.4, shall not be required to obtain a club or baton permit or to complete a course certified by the Department of Consumer Affairs in the carrying and use of a club or baton, provided that the person completes a course approved by the Commission on

Peace Officer Standards and Training in the carrying and use of the club or baton, within 90 days of employment.

O

